



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

April 15, 2010

Mr. Jack L. Wesley
Bradley Sand & Gravel Operation
2476 E. County Road 300 North
Greenfield, Indiana 46140

Dear Mr. Wesley:

Re: NPDES Permit No. ING490080
Bradley Sand & Gravel Operation
Greenfield, Indiana
Hancock County

During an IDEM inspection of the above referenced site conducted earlier in 2010 Mr. Bud Wesley, Vice President of Bradley Sand & Gravel, requested on your behalf that the NPDES permit for the site be terminated. The IDEM inspector was able to verify during this visit that the ditch that had been used to drain water had been filled in, and that the pump had been removed. This being the case our office concurs that the NPDES permit is not needed and can be voided.

Therefore, National Pollutant Discharge Elimination System Permit No. ING490080, issued April 15, 2006, 2006, is hereby revoked effective 18 days from the mailing date of this letter.

Any party adversely affected or aggrieved by this decision may appeal by filing a petition for administrative review with the Office of Environmental Adjudication (OEA) within eighteen (18) days after the date of mailing of this letter. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant, a person aggrieved or adversely affected by this voidance or otherwise entitled to review by law. Pursuant to IC 13-15-7-3, this decision shall remain in effect pending a decision on any appeal that has been timely requested under the provisions of IC 4-21.5. The address is:

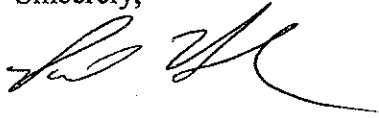
Office of Environmental Adjudication
Indiana Government Center North
100 North Senate Avenue, Room 501
Indianapolis, IN 46204

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You are reminded that any future discharge to waters of the state must be preceded by the submission of an NPDES application at least 180 days prior to the commencement of such discharge.

If you have any questions regarding this matter, please contact Ms. Sheri L. Jordan of our staff at 317/ 232-8703.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul Higginbotham', with a long horizontal flourish extending to the right.

Paul Higginbotham, Chief
Permits Branch
Office of Water Quality

Slj/

cc: Hancock County Health Department

**STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

PUBLIC NOTICE NO. 2010 – 4D -GP

DATE OF NOTICE: April 15, 2010

The Office of Water Quality issues the following NPDES GENERAL PERMIT.

TERMINATION

BRADLEY SAND & GRAVEL OPERATION, Permit No. ING490080, HANCOCK COUNTY, Greenfield, IN. This permit is being terminated because there is no longer a discharge. Permit Writer: Sheri Jordan at 317/232-8703.

PROCEDURES TO APPEAL

General Permit documents are available for inspection at IDEM, Office of Water Quality/Permit Section, IGCN, 100 N Senate Ave, Indianapolis, IN, Room 1203, from 9 - 4, Monday-Friday (copies 10¢ per page). The General Permit is also available at the local Health Department. Please tell others you think would be interested in this matter.

Appeal Procedure: Any person affected by the issuance of the Final Permit may appeal by filing a Petition for Administrative Review with the Office of Environmental Adjudication within eighteen (18) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law.

Timely filing: The Petition for Administrative Review must be received by the Office of Environmental Adjudication (OEA) within 18 days of the date of this Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. This Petition for Administrative Review represents a request for an Adjudicatory Hearing, therefore must:

- state the name and address of the person making the request;
- identify the interest of the person making the request;
- identify any persons represented by the person making the request;
- state specifically the reasons for the request;
- state specifically the issues proposed for consideration at the hearing;
- identify the Final Permit Rule terms and conditions which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing this NPDES Permit rule.

If the person filing the Petition for Administrative Review desires any part of the NPDES Final Permit Rule to be stayed pending the outcome of the appeal, a Petition for Stay must be included in the appeal request, identifying those parts to be stayed. Both Petitions shall be mailed or delivered to the address here:

Phone: 317/232-8591.

Environmental Law Judge
Office of Environmental Adjudication
IGC – North Building- Rm 501
100 N. Senate Avenue
Indianapolis IN 46204

Stay Time frame: If the Petition (s) is filed within eighteen (18) days of the mailing of this Public Notice, the effective date of any part of the permit, within the scope of the Petition for Stay is suspended for fifteen (15) days. The Permit will become effective again upon expiration of the fifteen (15) days, unless or until an Environmental Law Judge stays the permit action in whole or in part.

Hearing Notification: Pursuant to Indiana Code, when a written request is submitted, the OEA will provide the petitioner or any person wanting notification, with the Notice of pre-hearing conferences, preliminary hearings, hearing stays or orders disposing of the Petition for Administrative Review. Petition for Administrative Review must be filed in compliance with the procedures and time frames outlined above. Procedural or scheduling questions should be directed to the OEA at the phone listed above.

**J. L. Wesley Enterprise
101 Jaycie Phelps Rd
Greenfield, IN 46140
Office 317-462-3905**

IDEM
OFFICE OF
WATER QUALITY

2010 MAR 31 A 11: 27

March 29, 2010

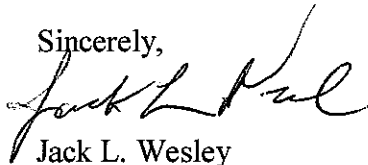
Attention: Paul Higgenbath
Indiana Department of Environmental Management
100 N. Senate Ave.
Mail Code 65-42 IGCN 1255
Indianapolis, IN 46204-2251

Dear Mr. Higgenbath,

Our water permit number is ING490080 we are requesting to vacate the NPDS permit as we are no longer discharging as operations are complete at our location.

If you should have any further questions please contact Jack Wesley at (317) 710-3160.
Thank you for your help in this matter.

Sincerely,



Jack L. Wesley

70-1031-10000